<u>REMARKS</u>

Claims 1-30 are still pending in this application. Reconsideration of the application is earnestly requested. The Examiner is thanked for the telephone interview of August 19, 2005. Applicant explained why the cited art did not teach or suggest various elements of the independent claims as described in the Reply mailed June 9, 2005.

<u>Claim Amendments</u>

The Examiner has maintained the rejection of claims 1-30 in view of *Chess* and *Chandnani.* In the recent final office action and during the telephone interview the Examiner stated his position that the claims will be interpreted using the broadest reasonable interpretation in view of the specification, and that in his view, an interpretation of the claims reads upon compiler-related technology. Although it is true that some features of the claims (a parser, for example) are also used in compiler technology, the presently claimed invention is clearly not a compiler, but includes techniques for identifying computer viruses and for generating computer virus signatures using a virus scan engine.

To address the Examiner's concern, and to clarify that the invention relates to computer virus identification and computer virus signature generation, the independent claims have been amended to require "<u>a virus scan engine</u>" in the preamble. Further, various of the claims have been amended to require other elements of a virus scan engine such as "<u>a pattern matcher</u>," "<u>a threadizor</u>," or "<u>a parser</u>."

<u>Response to Final Office Action</u>

The office action at page 4 states that "Applicants clearly have failed to explicitly identify specific claim limitations, which would define a patentable distinction over prior art." To the contrary, <u>Applicant submits that its previously filed Reply very specifically identified at least one claim limitation in each of the independent claims that was not present in any of the cited art.</u> Applicant further submits that the independent claims are patentable over that cited art notwithstanding the addition of the various clarifying amendments made above.
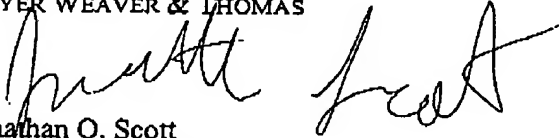
Applicant detailed very carefully why the *Chess* and the *Chandnani* references are not relevant and pointed out which elements of the claims the references do not teach or suggest. For example, the three steps of claim 5 not present in *Chess.* Claim 15 requires extracting,

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linearizing and determining key actions; *Chess* does not teach or suggest such steps. Claim 1 requires "generating a language independent representation of the portion of the interpreted language source code." *Chandnani* does not teach or suggest generating a language independent representation of interpreted language source code. Claim 11 requires extracting and linearizing key actions and comparing the executing thread; the steps are not taught are suggested by *Chandnani*. Claims 21 and 25 are Beauregard claims that are similar to the above claims. Various of the dependent claims also contain features not present in the cited art as detailed in the previous Reply.

Therefore, Applicant submits that the claims are allowable and requests that the rejections be withdrawn.

Reconsideration of this application and issuance of a Notice of Allowance at an early date are respectfully requested. If the Examiner believes a telephone conference would in any way expedite prosecution, please do not hesitate to telephone the undersigned at (612) 252-3330.

Respectfully submitted,
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